

7-23-12

PTO/SB/65 (03-09)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

Fax: (571) 273-8300

07/26/2012 DALLEN 88888888 6056421

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620.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6056421Application Number: 08519200Issue Date: 2000-02-05Filing Date: 1995-08-25

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

- ☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

2012 JUL 25 PM 3:15

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

7/16/12

Signature

Michael B. Johnson

Michael B. Johnson

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input checked="" type="checkbox"/> \$ 2440.00	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 2440.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 620.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 620.00

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RECEIVED

## 5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 620.00☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

## 7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. \_\_\_\_\_

OR

☒ Send refund check**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Michael B. Johnson  
Signature(s) of Petitioner(s)

7/16/12  
Date

Michael B. Johnson

Typed or printed name(s)

772 South Quaker Lane

Address

Wets Hartford, CT 06110

Address

Registration Number, if applicable

860-593-4020

Telephone Number

## ENCLOSURES:

- ☐ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☐ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other: \_\_\_\_\_

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

Michael B. Johnson  
Signature

Michael B. Johnson

Type or printed name

7/16/12  
Date

1.17(I)

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Statement attached.

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(Please attach additional sheets if additional space is needed)

I did submit my patent fee, via certified mail, prior to expiration date of 5/2/2012. I was informed by post office clerk that mailing takes typically two-to-three days for delivery to Washington DC area. I have provided a copy of certified mailing receipts as proof of intent. Delays of Postal Service is unavoidable and should not be considered the fault of patentee due to clear effort made to renew patent prior to deadline.



refer to: Exhibit A + B (proof of timely mailing)

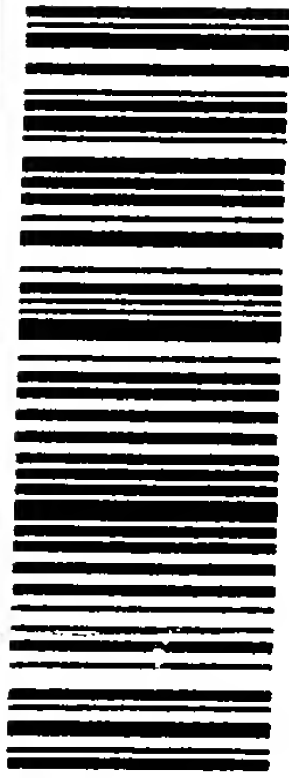
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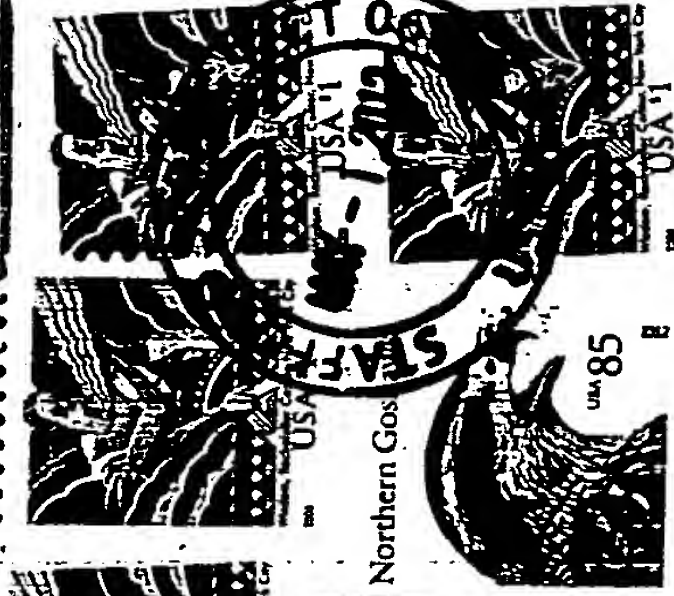
"Exhibit A"

Michael Johnson  
772 South Quaker Lane  
West Hartford, CT 06110

CERTIFIED MAIL<sup>®</sup>



7010 0290 0001 7969 2652



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P.O. Box 979070

St. Louis, MO 63197-9000

**RETURN RECEIPT  
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"Exhibit B"

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RECEIPTS ACCOUNTING  
DIVISION  
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2592 6962 1000 0620 0102

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Postage	\$ 45
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City, State, ZIP+4	St. Louis, MO 63197-9000

PS Form 3800, August 2006 See Reverse for Instructions



Check No.



07 09 12 13100001 KANSAS CITY, MO 4030 10497679  
0119790005 4030 10497679 M2 0000CC20120185

Pay to

the order of

MICHAEL B. JOHNSON  
772 SOUTH QUAKER LANE  
WEST HARTFORD CT 06110

\*\*\*\*2440\*00

VOID AFTER ONE YEAR

REGIONAL DEPOSITARY OFFICE



Per Enclosed Mailing Notice

NOTICE TO CHECK RECIPIENT

TREASURY-FINANCIAL MANAGEMENT SERVICE TFS FORM 3090(Rev.)

VENDOR NAME: MICHAEL B. JOHNSON

VENDOR I.D.  
NUMBER:

AGENCY NAME AND BILLING ADDRESS: DEPARTMENT OF COMMERCE  
US PATENT AND TRADEMARK O  
2051 JAMIESON AVENUE  
ALEXANDRIA VA22314

U.S. TREASURY REG. KANSAS CITY, MO  
FINANCIAL CENTER:

CHECK NUMBER  
4030-10497679

CHECK AMOUNT  
\*\*\*\*2440\*00

CHECK DATE  
07-09-12

#: 6056421; 571-272-6386 SHANNON HARRISON  
NAME/NUMBER: 6056421  
AMOUNT REFUNDED: 2440.00  
THE ENCLOSED REFUND FOR PATENT NUMBER 6056  
THE PATENT BEING EXPIRED AS OF 05/02/2012.  
FOR QUESTIONS RELATING TO REFUND, CONTACT  
SHANNON HARRISON - 571-272-6386  
MAILROOM DATE: 05/11/2012

AGENCY SCHEDULE NUMBER

0000CC20120185

AGENCY TELEPHONE NUMBER

571-272-6500

PLEASE DIRECT ANY INQUIRIES CONCERNING THIS PAYMENT TO THE AGENCY AT THE ADDRESS (OR PHONE NUMBER) INDICATED ABOVE

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I will not cash check if petition is allowed.